

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

PHYLLIS D. SELLERS,

Plaintiff

v.

MICHAEL J. ASTRUE^{1/}

Commissioner of Social Security,

Defendant

CIVIL NO. 3:06CV262

ORDER

The defendant, Michael J. Astrue, the Commissioner of Social Security (“Commissioner”), has moved this Court for entry of judgment affirming his final favorable decision issued in this case. On November 1, 2006, this Court granted the defendant’s *Consented To Motion To Remand Pursuant To Sentence Six of 42 U.S.C. § 405(g)* and remanded the case to the Commissioner, pursuant to *Shalala v. Schaefer*, 509 U.S. 292, 296 (1993) and *Melkonyan v. Sullivan*, 501 U.S. 89, 98 (1991). After this case was remanded, Plaintiff amended her alleged onset date from September 9, 1999, to May 16, 2003, and based on the changed onset date, a new decision was issued on March 11, 2008. This decision constitutes the Commissioner’s final decision in this case subsequent to the above-noted remand.

No contested issues remain in this case. Therefore, pursuant to the power of this court to enter a judgment, this court hereby AFFIRMS the Commissioner’s final decision after remand in this case.

SO ORDERED.



Carl Horn, III
United States Magistrate Judge



Signed: July 31, 2008

^{1/} On February 12, 2007, Michael J. Astrue became the Commissioner of Social Security and should, therefore, be substituted for Commissioner Jo Anne B. Barnhart as Defendant in this action. 42 U.S.C. § 405(g); Fed. R. Civ. P. 25(d)(1).